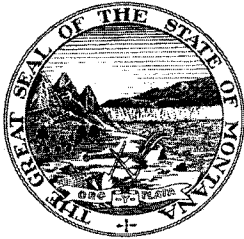


DEPARTMENT OF
PUBLIC HEALTH AND HUMAN SERVICES



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Date: January 14, 2011

To: Members of the House Human Services Committee

From: Jim Murphy, Bureau Chief, Department of Public Health and Human Services on

Re: HB 191 Revise regulation of retail food establishment exemptions

Mr. Chairman, Members of the Committee, my name is Jim Murphy, I am the Bureau Chief of the Control of Communicable Disease Bureau at DPHHS. I am here to express the Department's opposition to HB191.

The Department, and present law, supports limited food sales at fund raising events, Farmers' Markets and similar venues. However, we want to make sure that such items are safe.

The requirement to register with the local health authority prior to each operation provides an opportunity to disseminate pertinent food safety information to these operators, and in some instances to prevent potentially unsafe foods from being distributed for human consumption.

In addition to allowing Farmer's Markets to sell a variety of products, the current law allows nonprofit groups to engage in fund raising activities that involve selling food products that present a low-risk to the public health. Local Registered Sanitarians are providing a community service at no cost, reviewing the types of foods offered to ensure the protection of the public. Elimination of this service and the minimal oversight provided may result in distribution of food products that are of unknown origin and that pose a risk to public health.

Items that are of particular risk include baked goods requiring refrigeration (crème-filled pastries, selected pies and desserts) as well as home-canned products that could spoil, producing harmful bacteria that could cause human illness.